



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, January 22, 2013

7:00 PM

100 East Main Street, Suite 500

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### Regular Meeting

#### 1. Call to order

Mayor Coleman called the regular meeting to order at 7:05 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña, Starlet Sattler and Victor Gonzales were in attendance. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Tom Word, Assistant City Manager; Karen Thompson, City Secretary; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Lisa Charbonnet, Library Director; Jim Bowlin, Parks Director; Dan Franz, City Engineer; Emily Barron, Planning Director; Blake Overmyer, Building Official; Terri Wagonner, Public Information Officer; Chuck Hooker, Police Chief.

#### 2. Opening

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

Items were addressed in the order as recorded in the minutes.

#### 3. Presentations

##### 3A. 2013-1612 Presentation of Employee Service Awards.

Mayor Coleman presented employee awards for five years of service to Carmen Chapman, Lori Dillard, Lucy Esquivel, Jeremy Frazzell, Sven Griffen, Phillip Scruggs, Erin Sellers, Denise Thomas and Daniel Wilson. Carlos DeLeon, Rudy Garcia, Tricia Mirabelle, Charles Rowley, Charles Tate, Jared Thyssen, and Clarence Wieland III were recognized, but were not in attendance.

Mayor Coleman presented employee awards for ten years of service to Kathy

Ellis, Stacy Howle, Vicky Loera, Brandon Maxwell, Armando Rios, Hazel Sherrod and Charles Stowers. Rona Armendariz, Kimberly Meredith and Brian Miller were recognized, but were not in attendance.

Mayor Coleman presented employee awards for fifteen years of service to Shawn Brown, Mary Fehrenbach and Tracy Hibbs. Kenley Crowder was recognized, but was not in attendance.

Mayor Coleman presented employee awards for twenty years of service to Laura Wilkes, James Wills and Michael Wilson.

Mayor Coleman presented an employee award for twenty-five years of service to Daryl Staha.

- 3B. 2013-1508** Presentation of Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended September 30, 2011.

Mayor Coleman presented the award to the finance staff in attendance: Lauri Gillam, Beth Davis, Amy Good, Tracy Hibbs, Deborah Jones and congratulated them on the achievement.

- 3C. 2013-1518** Presentation of Government Finance Officers Association (GFOA) Award for Outstanding Achievement in Popular Annual Financial Reporting for the fiscal year ended September 30, 2011.

Mayor Coleman presented the award to the finance staff in attendance: Lauri Gillam, Beth Davis, Amy Good, Tracy Hibbs, Deborah Jones and congratulated them on the achievement.

#### **4. Public Comment**

Brent Hurta, 3104 Murrelet Way, did not wish to speak, but asked that the Mayor announce for the record his support for a skate spot/park in Pflugerville.

Gary Rose, representing SouthWest Water Company (Windermere Utilities), announced their writing contest open to all Pflugerville Independent School District middle school students.

#### **Discuss and consider action**

- 11D. 2013-1595** 1.) Executive Session Item: Consultation with legal counsel regarding Texas law and procedure related to Council action on a petition for the creation of the proposed Travis County Emergency Services District No. 2A pursuant to Chapter 551.071 of the Texas Government Code.  
2.) Open Session Item: Discuss and consider action regarding petition for the creation of the proposed Travis County Emergency Services District No. 2A.

ESD No. 2 Boardmembers Terry Struble, George Mentzer, and Efren Brito were in attendance. The following ESD No. 2 staff were in attendance: Monica Reed, Executive Director of Staff Services; Kevin Croegart, Assistant Chief of Operations; Thomas Crane, Assistant Chief of Fire Prevention; and John Grasshoff, Manager of Governmental Affairs and Support. John Carlton,

Attorney representing the petitioners and the ESD No. 2 was also in attendance.

Council and city staff discussion continued from the worksession with the ESD No. 2 boardmembers, staff, and attorney.

Tom Lemieux, 505 Pleasant Valley, spoke in opposition to the creation of the ESD No. 2A.

Sierra Perkins, 18920 Chrighton Castle, did not wish to speak, but requested that the Mayor announce for the record her support for the creation of the ESD No. 2A to provide more financial support for the fire department.

Cliff Avery, Executive Director of the State Association of Fire and Emergency Services, did not wish to speak, but requested that the Mayor announce for the record his support for the creation of the ESD No. 2A.

Erin Mosley, 1627 War Horse Lane, did not wish to speak, but requested that the Mayor announce for the record her support for the creation of the ESD No. 2A.

Justin LeBlanc, 905 Point Run Drive, spoke in opposition to the creation of the ESD No. 2A and requested a city-run fire department.

Rodney Blackburn, 803 Creekbend Drive, spoke in opposition to the creation of the ESD No. 2A.

Melody Ryan, 1012 Ripley Cove, spoke in opposition to the creation of the ESD No. 2A.

Discussion continued on the item.

Mayor Coleman announced that the City Council was retiring to executive session for discussion on item 11D. Ms. Thompson read the item to be discussed in executive session and Mayor Coleman retired to executive session. The time was 8:39 p.m. Mayor Coleman reconvened in open session at 9:23 p.m. Mr. Marshall indicated a need for further discussion and consideration and made a motion to table the item until the Council's February 5, 2013 Special Meeting. Mr. Peña stated agreement and seconded the motion. All voted in favor. The motion carried.

**11A. 2013-1580**

Discuss and consider action to approve the list of projects proposed for the FY 2013 General Capital Reserve Fund and authorizing the initiation of the listed projects and the associated expenditure of funds.

Mr. Wade provided an updated project list for consideration and provided information. The City Council reviewed a portion of the list and discussed with city staff.

Brian Klenzendorf, 18800 Chrighton Castle Bend, did not wish to speak, but requested that the Mayor announce for the record his support to approve funds that would include Stone Hill Park in the undeveloped parkland study and to approve \$200,000 to develop a community park.

Melody Ryan, 1012 Ripley Castle, indicated she was advocating for parks in the northern part of the City. She stated she would like the study to be approved

and to develop a park in Highland Park, Highland Park North or Stone Hill which are underserved; to be developed from recommendations from the study. Discussion followed between Ms. Ryan, the Council and Mr. Fletcher.

Kevin Kluge, 17405 Ice Age Trail, asked Council to approve the funding for the parkland study and development funds and indicated his support for the development of the parkland in Highland Park. He cautioned the Council in using the citizen survey as a roadmap for spending development funds and indicated concern for using a random survey instead of the input of interested citizens.

The City Council reviewed the remaining items and discussed with city staff. Mr. Wade recommended reallocating funds to street overlay if they want to reallocate an item.

Mayor Coleman numbered each project item from 1-19 on the list and asked for the project items to be treated as a consent agenda. The following items were removed from the consent list: Item 2: Downtown Plaza Project; Item 7: Fireworks barge for Lake Pflugerville; Item 10: Extend North Shore Paved Parking; Item 16: Travis County Bond Project- Rowe Lane design (City & County); Item 17: Animal Shelter renovations; Item 18: Trailblazer signage; Item 19: Contract asphalt overlay.

Mr. Peña made a motion to approve Items 1 (ADA parking spaces at 100 East Main Street offices in the amount of \$15,000); 3 (Banners in the amount of \$50,000); 4 (Undeveloped park finish out and Trail gap analyses in the amount of \$140,000); 5 (Recreation Center remodeling in the amount of \$50,000); 6 (Construct trail segment in the amount of \$150,000); 8 (Improve beach areas at Lake Pflugerville in the amount of \$70,000); 9 (Lake Pflugerville Master Plan in the amount of \$40,000); 11 (Construct electrical system for vendors on North Shore of Lake Pflugerville in the amount of \$30,000); 12 (Trees in the amount of \$100,000); 13 (Thoroughfare Plan and Transportation Model in the amount of \$200,000); 14 (Unified Development Code update in the amount of \$50,000); and 15 (Travis County Bond Project - Weiss Lane design (City & County) in the amount of zero dollars- unfunded.) (to be included in the FY 2013 projects for funding by the General Capital Reserve). Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

Mayor Coleman indicated to consider Item 2: Downtown Plaza project. Mr. Cooper recused himself and stepped down from the dais to abstain because he is employed with Halff Associates. Halff Associates did the conceptual plan for the project at no cost to the city and a scope and fee proposal for the final design is being considered by city staff if the project funding is approved. Mr. Peña stated that he believes there would be more value to using the funding for streets. Mr. Marshall stated to disagree and indicated the public's desire to make improvements to downtown as seen in the survey. Mr. Marshall made a motion to approve the Downtown Plaza Project in the amount of \$100,000. The motion died for lack of a second.

Mr. Gonzales made a motion to remove Item 7: Fireworks barge for Lake Pflugerville from the list. He stated that he thinks that there are other options to address safety issues for the fireworks. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mr. Marshall made a motion to approve Item 10: Extend North Shore Paved Parking (34 spaces) in the amount of \$120,000. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

There was Council and staff discussion regarding Item 16: Travis County Bond Project- Rowe Lane design (City & County). Mr. Gonzales made a motion to remove Item 16 from the list. Mr. Peña seconded the motion. All voted in favor. The motion carried.

Mr. Cooper made a motion to approve Item 18: Trailblazer signage in the reduced amount of \$25,000. Mr. Marshall seconded the motion. The vote was: Mr. Cooper-yes, Mr. Marshall-yes, Mr. Peña-yes, Ms. Sattler-yes, Mr. Gonzales-no. The motion carried.

There was Council and staff discussion regarding Item 19: Contract asphalt overlay. Mr. Cooper made a motion to approve Item: 19 Contract asphalt overlay (and miscellaneous street repair) in the increased amount of \$1,000,000. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

Mayor Coleman called for a recess. The time was 11:31 p.m. Mayor Coleman reconvened the meeting at 11:39 p.m.

- 11B. 2013-1603** Discuss and consider action to authorize the City Manager to execute a contract for the purchase of three connectable steel barges from K.C. Commercial, LLC in the amount of \$114,800 with funding from the FY 2013 General Capital Reserve Fund.

The purchase of three connectable steel barges was removed from the FY 2013 General Capital Reserve Fund list of projects under item 11A. No action was taken on item 11B.

- 11C. 2013-1582** Discuss and consider action to approve a Professional Services Agreement with RVI Planning, Inc. in the amount of \$125,000 for the preparation of a Trails Master Plan and Parks Development Plan and authorizing the City Manager to execute the agreement to include funding from the FY 2013 General Capital Reserve Fund.

Mr. Peña made a motion to approve the agreement in the amended amount of \$140,000 and to authorize the City Manager to execute the agreement. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

## **10. Resolution**

- 10A. RES-0125** Approving a Resolution establishing a \$250 fee for Fire Hydrant Flow Testing in the City of Pflugerville.

Mr. Word provided information. Mr. Cooper made a motion to approve the resolution. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

## **11. Discuss and consider action**

- 11E. 2013-1614** Discuss and consider action regarding future agenda items.

No future agenda items were noted.

### **Reading of the Consent Agenda**

Items 6A, 8A, 9A, 9B, 9C, and 9D were removed from the consent agenda. Ms. Thompson read the items along with the caption of the ordinance under consideration.

### **5. Approval of Minutes**

- 5A. 2013-1613** Approval of the minutes of the January 8, 2013 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

### **7. Ordinance Second Reading**

- 7A. ORD-0136** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE THIRD AND FINAL AMENDMENT TO THE FISCAL YEAR 2011-2012 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

### **8. Resolutions**

- 8B. RES-0128** Approving a resolution to rename the Pflugerville Community Library as the Pflugerville Public Library.

The resolution was approved on the consent agenda.

### **Action on the Consent Agenda**

Mr. Gonzales made a motion to approve the consent agenda. Ms. Sattler seconded the motion. All voted in favor.

### **9. Other Action-Removed from the Consent Agenda**

- 9A. 2013-1571** Approving a Pflugerville Community Development Corporation Performance Agreement with the City of Pflugerville for the purchase of a 911 dispatch console.

Mayor Coleman asked Chief Hooker if this would be an item that CAPCOG (Capital Area Council of Governments) would fund. Chief Hooker explained that CAPCOG handles 911 communications, but does not handle two-way radios. He explained that this would be the department's fourth radio console

and would give them an opportunity to have a fourth person sit at the console and talk on the system. He stated that two of the radio consoles will go to their end of life in 2015. He stated that this is not something that CAPCOG will pay for. Mr. Peña made a motion to approve the item. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

## **12. Discuss only**

Mayor Coleman announced that the City Council was retiring to executive session for discussion on items 12A, 12B, and 12C. He read the items to be discussed and retired to executive session. The time was 11:58 p.m.

- 12A. 2013-1626** 1.) Executive Session Item: Discussions regarding deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code.
- Discussion on the item was to take place in executive session. No action was taken.
- 12B. 2013-1615** 1.)Executive Session Item: Consultation with legal counsel regarding agreements with Manville Water Supply Corporation pursuant to Chapter 551.071 of the Texas Government Code.
- Discussion on the item was to take place in executive session. No action was taken.
- 12C. 2013-1616** 1.)Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the provision of public utilities within the City of Pflugerville.
- Discussion on the item was to take place in executive session. No action was taken.

## **Executive Session Closed**

Mayor Coleman reconvened in open session at 12:55 a.m.

## **6. Ordinance First Reading- Removed from the Consent Agenda**

- 6A. ORD-0138** Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ESTABLISHING REQUIREMENTS FOR NON-MUNICIPALITY OWNED WATER AND SEWER UTILITIES FOR THE PRE-FILING OF DATA NECESSARY FOR THE GOVERNING BODY TO MAKE A DETERMINATION OF A REASONABLE RATE BASE FROM WATER AND WASTEWATER PROVIDERS; AUTHORITY TO RETAIN CONSULTANTS TO REVIEW AND ANALYZE RATE CHANGE PROPOSALS; AUTHORITY TO SEEK REIMBURSEMENT OF SAID EXPENSES; PROVIDING FOR THE FOLLOWING; ENACTMENT; FINDINGS OF FACT; REPEALER; SEVERABILITY; PROPER NOTICE AND MEETING; RULES; STANDARDS; AND ENFORCEMENT, INCLUDING INJUNCTIVE RELIEF AND CIVIL

**REMEDIES AND PROVIDING AN EFFECTIVE DATE.**

Mayor Coleman read the item along with the ordinance caption under consideration. Mr. Cooper made a motion to approve the ordinance on first reading. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

**8. Resolution-Removed from the Consent Agenda**

- 8A. RES-0127** Approving a resolution authorizing, directing and supporting Mr. Brandon Wade, City Manager, as a candidate for Zone 5 in the election for the Manville Water Supply Corporation Board of Directors to serve as the City's representative.

Mr. Cooper made a motion to approve the resolution. Mr. Gonzales seconded the motion. All voted in favor. The motion carried.

**9. Other Actions-Removed from the Consent Agenda**

- 9B. 2013-1634** Authorizing the City Manager to engage the consulting services of John E. Burke & Associates LLC to assist in negotiations with Manville Water Supply Corporation in an amount not to exceed \$100,000.

Mr. Peña made a motion to approve the City Manager to engage the services of Mr. John E. Burke & Associates LLC in an amount not to exceed \$50,000. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

- 9C. 2013-1635** Authorizing the City Manager to negotiate a contract with SAIC Energy, Environment & Infrastructure, L.L.C. (SAIC) for the valuation of certain utility systems within the City of Pflugerville.

Mr. Cooper made a motion to approve the item authorizing the City Manager to negotiate a contract with SAIC Energy, Environment & Infrastructure LLC for the valuation of certain utility systems within the City of Pflugerville. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 9D. 2013-1636** Authorizing the City Manager to execute a supplemental appropriation in the amount of \$205,000 to the Lockwood, Andrews & Newnam, Inc. (LAN) contract with the City of Pflugerville.

Mr. Peña made a motion to approve the item authorizing the City Manager to execute a supplemental appropriation in the amount of \$250,000 to the Lockwood, Andrews & Newnam, Inc. contract with the City of Pflugerville. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

**13. Adjourn**

Mr. Gonzales made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 12:59 a.m.



Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on February 12, 2013.